

ter shall register with the Secretary prior to the voting period, after receiving notice from the Secretary concerning the referendum under paragraph (4).

**(3) Voting**

A fluid milk processor who votes in any referendum conducted under this chapter shall vote in accordance with procedures established by the Secretary. The ballots and other information or reports that reveal or tend to reveal the vote of any processor shall be held strictly confidential.

**(4) Notice**

The Secretary shall notify all processors at least 30 days prior to a referendum conducted under this chapter. The notice shall explain the procedure established under this subsection.

(Pub. L. 101-624, title XIX, §1999N, Nov. 28, 1990, 104 Stat. 3924.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6405, 6414, 6415 of this title.

**§ 6414. Suspension or termination of orders**

**(a) Termination of order**

Any order effective under this chapter shall be terminated December 31, 1996. The Secretary shall—

- (1) terminate the collection of assessments under the order upon such date; and
- (2) terminate activities under the order in an orderly manner as soon as practicable after such date.

**(b) Suspension or termination by Secretary**

The Secretary shall, whenever the Secretary finds that the order or any provision of the order obstructs or does not tend to effectuate the declared policy of this chapter, terminate or suspend the operation of the order or provision.

**(c) Other referenda**

**(1) In general**

The Secretary may conduct at any time a referendum of persons who, during a representative period as determined by the Secretary, have been fluid milk processors on whether to suspend or terminate the order, and shall hold such a referendum on request of the Board or any group of such processors that among them marketed during a representative period, as determined by the Secretary, 10 percent or more of the volume of fluid milk products marketed by all processors.

**(2) Suspension or termination**

If the Secretary determines that the suspension or termination is favored—

- (A) by at least 50 percent of fluid milk processors voting in the referendum; and
- (B) by fluid milk processors voting in the referendum that marketed during a representative period, as determined by the Secretary, 40 percent or more of the volume of fluid milk products marketed by all processors;

the Secretary shall, within 6 months after making the determination, suspend or termi-

nate, as appropriate, collection of assessments under the order, and suspend or terminate, as appropriate, activities under the order in an orderly manner as soon as practicable.

**(3) Costs; manner**

Subsections (c) and (d) of section 6413 of this title shall apply to a referendum conducted under this subsection.

(Pub. L. 101-624, title XIX, §1999O, Nov. 28, 1990, 104 Stat. 3925.)

**§ 6415. Amendments**

**(a) Amendments to order**

Subject to subsection (b) of this section, the Secretary may issue such amendments to an order as may be necessary to carry out this chapter.

**(b) Amendment to assessment rates**

**(1) In general**

The Secretary may conduct at any time a referendum of persons who, during a representative period as determined by the Secretary, have been fluid milk processors on adjusting the assessment rate under the order issued under this chapter then in effect, and shall hold such a referendum on request of the Board or any group of such processors that among them marketed during a representative period, as determined by the Secretary, 10 percent or more of the volume of fluid milk products marketed by all processors.

**(2) Adjustment to assessment rate**

The Secretary shall adjust the assessment rate under the order whenever the Secretary determines that the adjustment is favored—

- (A) by at least 50 percent of fluid milk processors voting in the referendum; and
- (B) by fluid milk processors that marketed during a representative period, as determined by the Secretary, 60 percent or more of the volume of fluid milk products marketed by all processors;

In no event shall the rate of assessment prescribed by the order exceed 20 cents per hundredweight.

**(3) Effective date**

The adjusted assessment rate shall be effective on a date, as determined by the Secretary, after the results of the referendum are known, but not later than 30 days after the referendum.

**(4) Costs; manner**

Subsections (c) and (d) of section 6413 of this title shall apply to a referendum conducted under this subsection.

(Pub. L. 101-624, title XIX, §1999P, Nov. 28, 1990, 104 Stat. 3926.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6409 of this title.

**§ 6416. Independent evaluation of programs**

**(a) Review and evaluation**

The Comptroller General of the United States shall review and evaluate the order to—